

## Panama Canal Regulations

## § 10.8

by the system manager or the Agency Records Officer.

[44 FR 75312, Dec. 19, 1979, as amended at 59 FR 26123, May 19, 1994]

### § 10.6 How to identify yourself.

(a) If you make your request in person, or if you wish to review your records in person, you must identify yourself to the system manager or the Agency Records Officer (or to a person designated by one of those officials) by showing at least one identification document containing your picture (for example, employee identification card, driver's license, passport), or at least two identification documents containing your signature, or other identification acceptable to the official concerned.

(b) If you make your request in writing, you must supply information that will help to verify your identity (for example, signature, employee identification number, date and place of birth), and you may also be required to provide the certificate of a notary public or other official authorized to administer oaths.

(c) Whether making your request in person or in writing, if you cannot identify yourself to the satisfaction of the system manager or the Agency Records Officer (or the person designated by one of those officials), you may be asked to make and sign a written statement asserting your identity and indicating that you understand that knowingly and willfully requesting or obtaining access to any record about another individual under false pretenses is a misdemeanor punishable by a fine of up to \$5,000 (5 U.S.C. 552a(i)(3)).

### § 10.7 How your Privacy Act request will be handled.

(a) The system manager or the Agency Records Officer will acknowledge receipt of your request within ten working days. At the same time, or as soon as possible after acknowledging receipt, that official will:

(1) Tell you that a record about you is maintained in the system of records you identified and tell how you may review it, or get a copy; or

(2) Tell you that no record about you is maintained in the system of records you identified; or

(3) Tell you that your inquiry cannot be answered or your request cannot or will not be granted because you have not adequately identified yourself or the system of records; because the system of records in question is exempt from the access provisions of the Privacy Act; or because the record or system of records in question is not under the control of the Commission.

(b) When the system manager or the Agency Records Officer makes a decision to grant you access to the records you requested, you normally may see the records or get copies of them right away. If, for any reason, the records cannot be provided immediately, that official will arrange with you a mutually acceptable time and place for you to review and copy the records. If that official cannot make the records available to you within 30 working days of receipt of your request, that official will advise you in writing of the reason for the delay.

### § 10.8 When, where, and under what conditions you may review the records.

(a) If you want to review your records in person, you will normally be required to go during regular working hours to the location specified in the Notice of the System of Records or to the office of the Agency Records Officer, in the administration Building, Balboa Heights, Republic of Panama. If you cannot go in person during regular working hours, you should telephone or write the system manager or the Agency Records Officer so that appropriate arrangements can be made for you to review the records.

(b) You must identify yourself to the system manager or the Agency Records Officer (or to a person designated by one of those officials) in accordance with the requirements contained in § 10.6 of this part.

(c) If you have been told that you may review your records in person, you may, upon your request, be accompanied by a person of your choosing. You will however, have to provide the system manager with a written signed statement authorizing disclosure of the

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records about you to that person, and authorizing discussion of your records in the presence of that person.

(d) You may be shown a copy of a record rather than the original record itself when the record is not maintained at, or cannot be transferred to, a location which is accessible to you. In that event, you will be charged for the copies only if you choose to retain them. If copies are made at your request, the agency will charge you the cost of making the copies, as stated in § 10.11 of this part.

(e) No one shall be allowed to inspect original agency records except under the immediate supervision of the system manager, or the Agency Records Officer, or a person designated by one of those officials.

### § 10.9 Special procedures for medical records.

(a) If you request medical records about yourself, including psychiatric and psychological records, the records will be made available to you only after the Director of Health and Safety, or that official's designee, determines that release of the records would not be likely to have an adverse effect on you. If they are not made available to you, upon your written request the medical records which are not otherwise exempt from disclosure may be reviewed by a licensed medical practitioner designated by you.

(b) School records of a psychological nature may be shown to the student who is the subject of the records or to the parent or guardian of the student only if the Director of Health and Safety, or that official's designee, determines that the release would not be likely to have an adverse effect on the individual who is the subject of the records.

### § 10.10 How to request review of a system manager's denial of access.

(a) If the system manager denies your request for records, in whole or in part, you may ask the Agency Records Officer to review that decision. The denial is not considered a final agency decision unless it has been reviewed and confirmed in writing by the Agency Records Officer.

(b) To request review of a system manager's denial, you must:

(1) Write to the Panama Canal Commission, Agency Records Officer, Unit 2300, APO AA 34011-2300 (or Balboa, Republic of Panama); and

(2) State in your letter that you are requesting review of the system manager's denial and clearly mark the envelope "Privacy Act Request for Review"; and

(3) Mail or deliver the request for review within ten working days after you receive the system manager's denial.

(c) Although it is not required, it may be helpful if you state in your request for review the reasons why you disagree with the decision on your request for access and your reasons for wanting the records.

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### § 10.11 Fees for Privacy Act requests.

(a) The fees for copies of records made at your request under this section will be the same as the fees provided in § 9.11(a) (3), (4), (5), (6), (7); (c); and (e) of this title for copies of materials provided under the Freedom of Information Act.

(b) If your request for copies of records or portions of records is expected to involve fees of more than \$50, the Commission will not treat your request as having been received until:

(1) The Commission has sent you a written notification of the estimated fees; and

(2) You agree in writing to pay at least the estimated fees; and

(3) You pay part of the estimated fees in advance, if the agency requires such a deposit before it will begin to copy the records you have requested.

### § 10.12 How to request amendment of your record under the Privacy Act.

After you have reviewed your record, you may ask the Commission to correct or amend any portion of the record that you believe is not accurate, timely, relevant, or complete. To make a request for amendment, you must:

(a) Write to the Panama Canal Commission, Agency Records Officer, Unit 2300, APO AA 34011-2300 (or Balboa, Republic of Panama).